

**IN THE DRAWINGS**

Please amend FIGS. 1, 7 and 9 as shown in the redline version attached hereto, and enter the enclosed replacement sheets for those figures as originally filed.

REMARKS

Claims 1 - 3 are pending. Claims 1-3 have been amended. No new matter has been introduced. Reexamination and reconsideration of the application are respectfully requested.

In the December 30, 2005 Office Action, the Examiner identified typographical errors in FIGS 1, 7 and 9. Applicant has amended FIGS. 1, 7 and 9 as shown in the redline versions enclosed herewith. Applicant has also enclosed replacement sheets for the aforementioned amended figures.

The Examiner rejected claims 1-3 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The Examiner rejected claims 1-3 under 35 U.S.C. § 112, second paragraph as being indefinite and incomplete. Applicant has amended claims 1-3 in view of the Examiner's comments. Accordingly, Applicant respectfully submits that the claims are definite and complete, and the rejection should be withdrawn.

The Examiner rejected claims 1 and 3 under 35 U.S.C. § 103 (a) as being unpatentable over Maeda et al., U.S. Patent No. 5,764,607 (hereinafter Maeda) in view of Fukuda, U.S. Patent No. 6,469,239 (hereinafter Fukuda). The Examiner rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Maeda in view of Fukuda and further in view of Shitara et al., U.S. Patent No. 6,434,103 (hereinafter Shitara). Applicant respectfully traverses the rejections in view of the claims as amended.

**Independent claim 1, as amended, now recites:**

A digital-audio-signal recording apparatus, comprising:  
a storage section storing digital audio data;  
a write section that writes data on a disk-shaped storage medium; and  
a control section that, when a write operation is to be performed by said write section for writing the digital audio data, stored on said storage section, to the disk-shaped medium, *first performs control such that the digital audio data stored on said storage section can not be accessed by any processing operation other than said write operation*, then causes said write

section to write the digital audio data to the disk-shaped storage medium, and then erases the digital audio data from said storage section after completion of the writing of the digital audio data to the disk-shaped storage medium, *wherein file management information on said storage section corresponding to said written digital audio data is updated to reflect the write operation performed.*

The Maeda reference does not disclose teach or suggest the apparatus specified in independent claim 1, as amended. Unlike the apparatus specified in claim 1, Maeda does not teach an apparatus which includes “a control section that, when a write operation is to be performed by said write section for writing the digital audio data, stored on said storage section, to the disk-shaped medium, *first performs control such that the digital audio data stored on said storage section can not be accessed by any processing operation other than said write operation*, then causes said write section to write the digital audio data to the disk-shaped storage medium, and then erases the digital audio data from said storage section after completion of the writing of the digital audio data to the disk-shaped storage medium, *wherein file management information on said storage section corresponding to said written digital audio data is updated to reflect the write operation performed.*” (hereinafter the “control section limitation”) Instead Maeda is directed to a disk recording apparatus using an erasable disk. Maeda discloses erasing the original digital copying management information in S35 to S37 in the disk to be copied from, then performing the digital copying in S38 - S44. The TOC is then rewritten after the music data has been copied. (*Maeda, col. 6, lines 14-21, col. 8, lines 24-33, col. 9, lines 15 – 21, and Table 2-4*). However, this is not the same as an apparatus which “*first performs control such that the digital audio data stored on said storage section can not be accessed by any processing operation other than said write operation*” and “*wherein file management information on said storage section corresponding to said written digital audio data is updated to reflect the*

*write operation performed.*” Accordingly, Applicant respectfully submits that independent claim 1, as amended distinguishes over Maeda.

The Fukada reference does not make up for the deficiencies of the Maeda. The Fukada reference discloses the starting of transferring of music data from a music server 50 to a portable recording and reproducing apparatus 70. The reproduction of the compression music data which has already been transferred to the apparatus is inhibited. The Fukada reference discloses that a reproduction inhibition flag, indicative of the inhibition of the reproduction set, is set to a high level at a time point of the completion of the move of the music to the reproducing apparatus 70. (*Fukuda, col. 18, line 64 - col. 18, line 17*). However, the combination of Maeda and Fukada does not disclose, teach or suggest the control section limitation. Accordingly, Applicant respectfully submits that independent claim 1, as amended distinguishes over Maeda in combination with Fukada.

Independent claims 2 and 3 recite limitations similar to independent claim 1, as amended.

Accordingly, Applicant respectfully submits that claims 2 and 3 distinguish over Maeda in combination with Fukada for reasons similar to those set forth above with respect to claim 1.

With respect to claim 2, the Shitara reference does not make up for the deficiencies of the Maeda and Fukada. Shitara discloses that when an invalidity flag is turned on in an associated index pointer in an additional information file, additional information associated with a deleted data file is erased. (*Shitara; Col. 30, lines 15-20*) However, the combination of Maeda, Fukada, and Shitara does not disclose, teach or suggest the control section limitation. Accordingly, Applicant respectfully submits that claim 2 distinguishes over Maeda in combination with Fukada and Shitara.

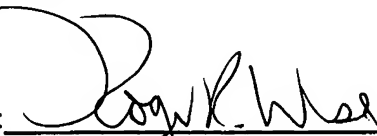
Applicant believes that the claims are in condition for allowance, and a favorable action

is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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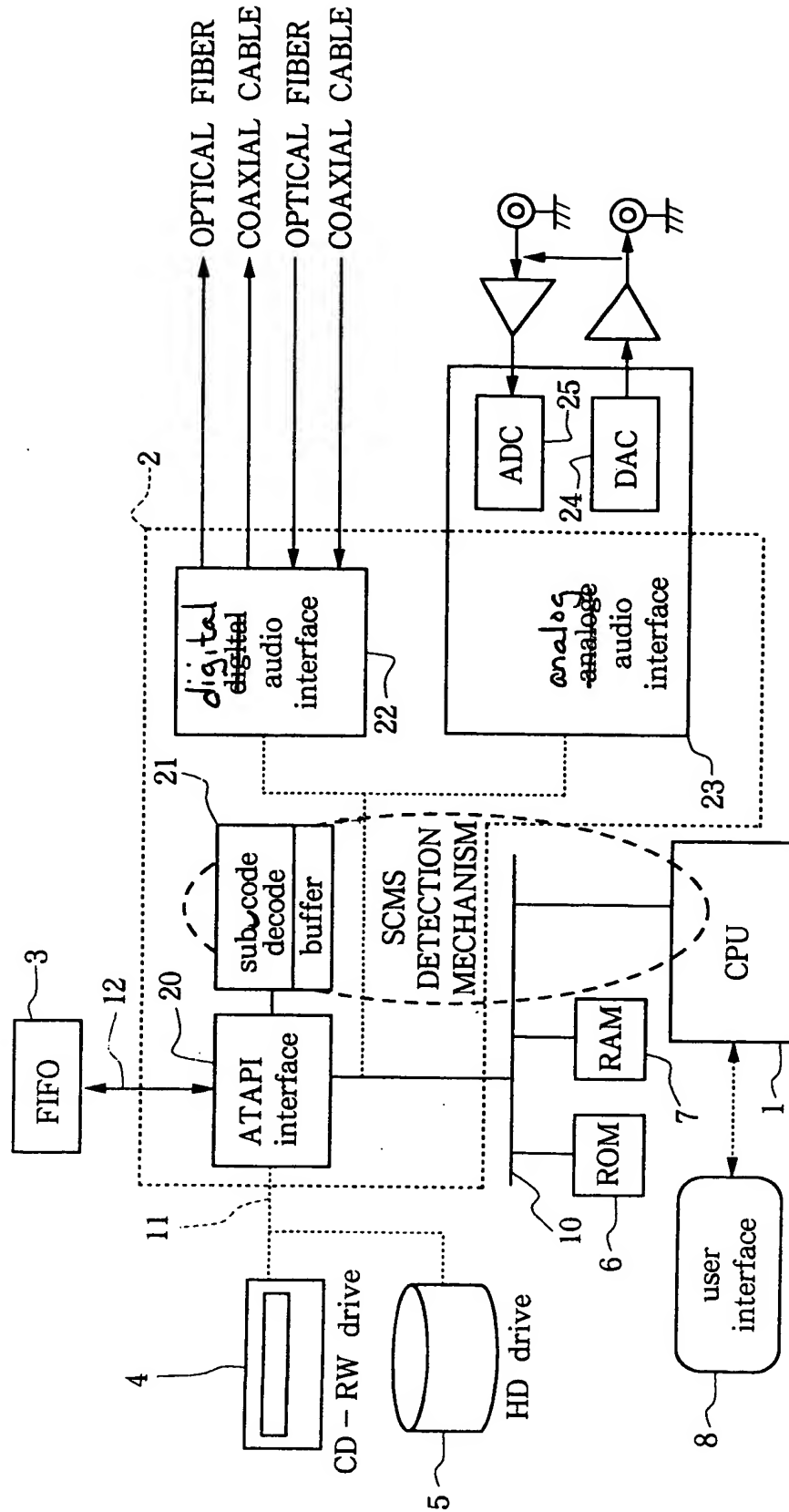


FIG. 1

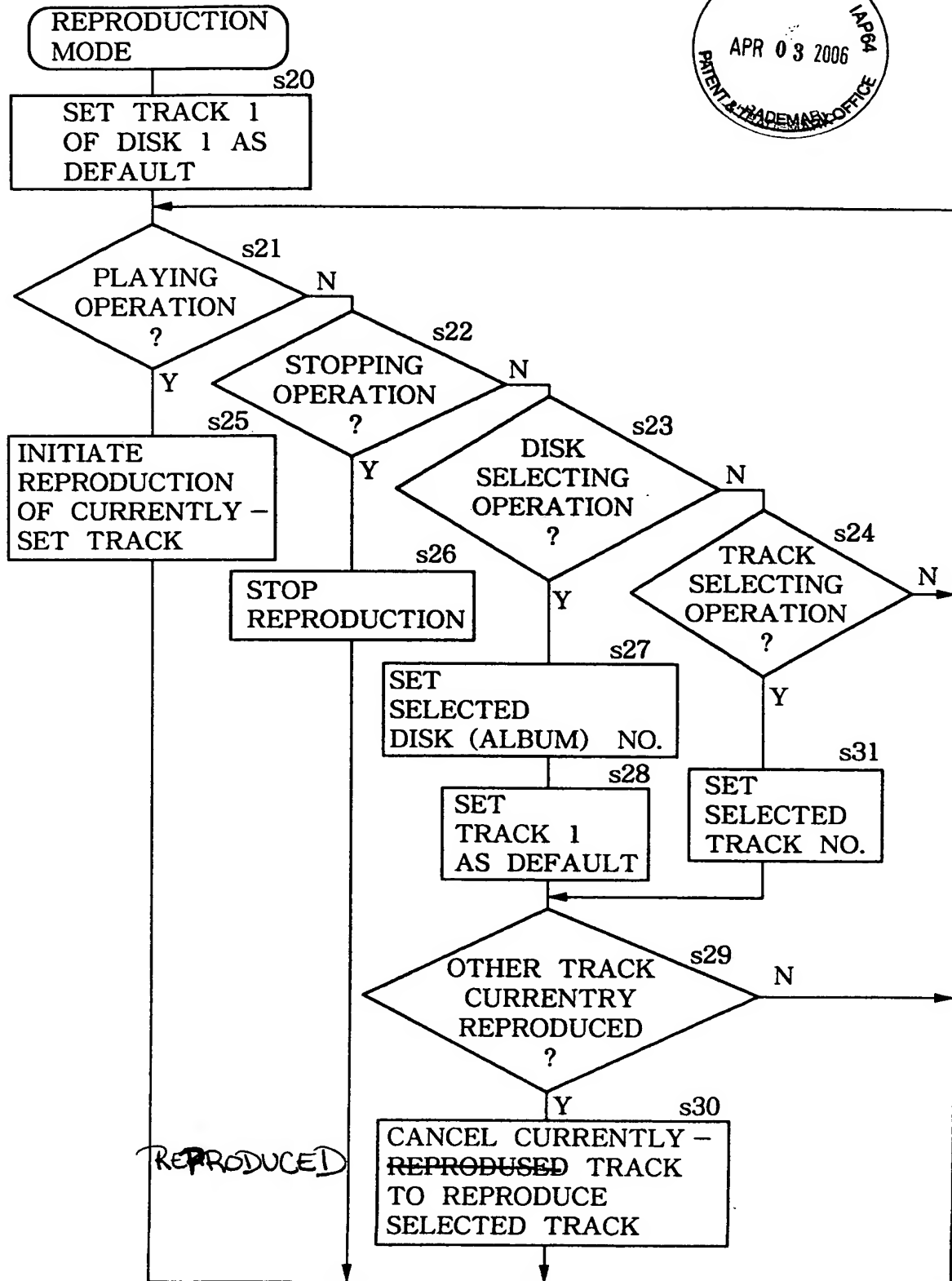


FIG. 7

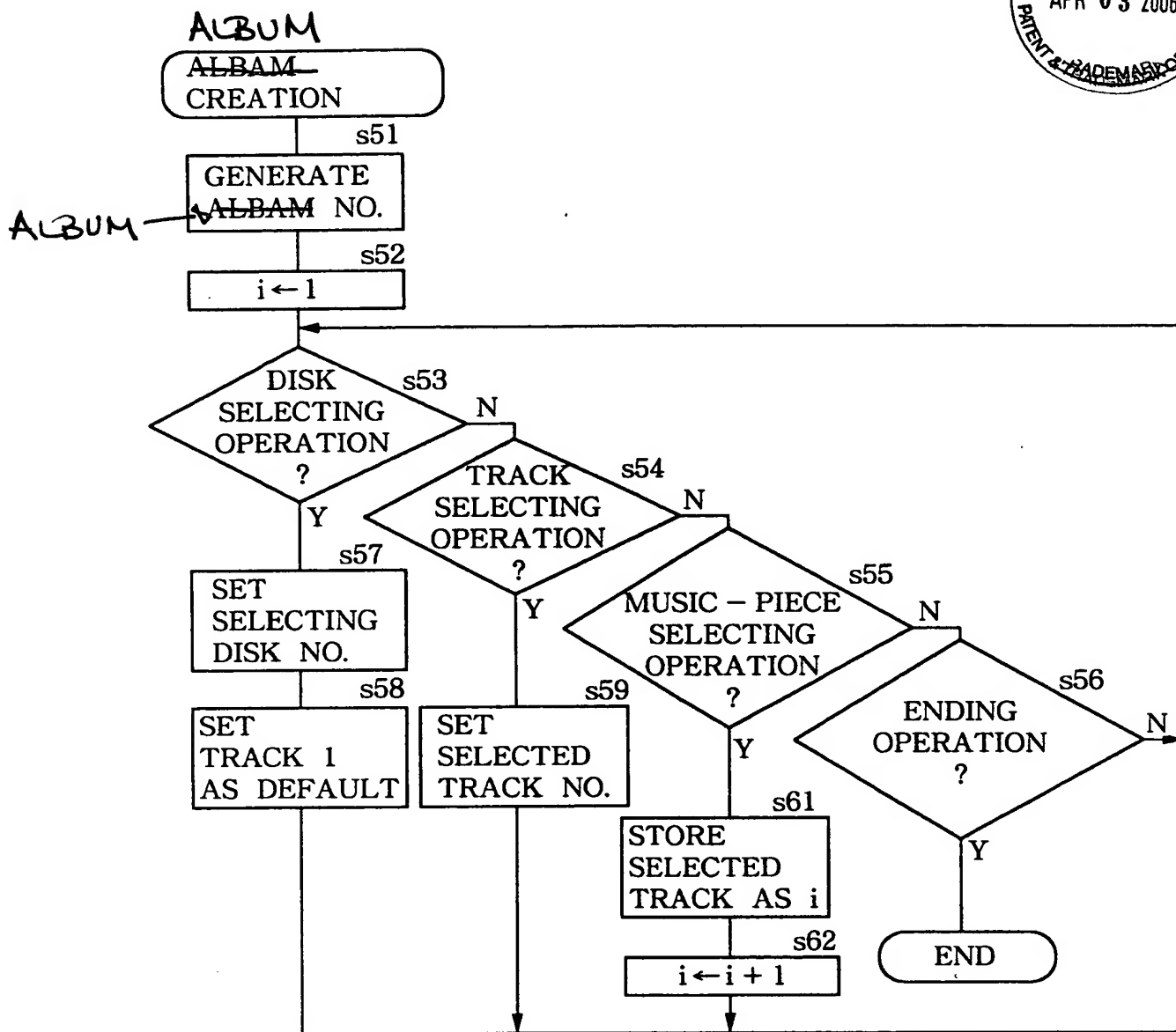


FIG. 9